

# Report Accuses EPA of Slanting Analysis

Hill Researchers Say Agency Fixed Pollution Study to Favor Bush's 'Clear Skies'

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The Bush administration skewed its analysis of pending legislation on air pollution to favor its bill over two competing proposals, according to a new report by the Congressional Research Service.

The Environmental Protection Agency's Oct. 27 analysis of its plan -- along with those of Sens. Thomas R. Carper (D-Del.) and James M. Jeffords (I-Vt.) -- exaggerated the costs and underestimated the benefits of imposing more stringent pollution curbs, the independent, nonpartisan congressional researchers wrote in a Nov. 23 report. The EPA issued its analysis -- which Carper had demanded this spring, threatening to hold up the nomination of EPA Administrator Stephen L. Johnson -- in part to revive its proposal, which is stalled in the Senate.

The administration's "Clear Skies" legislation aims to achieve a 70 percent cut in emissions of sulfur dioxide and nitrogen oxide after 2018, while Carper's and Jeffords's bills demand steeper and faster cuts and would also reduce emissions of carbon dioxide, which are linked to global warming. The Bush plan would also cut emissions of neurotoxic mercury by 70 percent, while Jeffords's bill reduces them by 90 percent.

"Although it represents a step toward understanding the impacts of legislative options, EPA's analysis is not as useful as one could hope," the Research Service report said. "The result is an analysis that some will argue is no longer sufficiently up-to-date to contribute substantially to congressional debate."

The congressional report, which was not commissioned by a lawmaker as is customary, said the EPA analysis boosted its own proposal by overestimating the cost of controlling mercury and playing down the economic benefits of reducing premature deaths and illnesses linked to air pollution.

EPA estimated the administration's plan would cost coal-fired power plants as much as \$6 billion annually, compared with up to \$10 billion in Carper's measure and as much as \$51 billion for Jeffords's. It calculated that Bush's proposal would produce \$143 billion a year in health benefits while Carper's would generate \$161 billion and Jeffords would yield \$211 billion. Carper's measure would achieve most of its reductions by 2013, while Jeffords's bill would enact even more ambitious pollution cuts by 2010.

EPA spokeswoman Eryn Witcher said the agency based its cost estimates on mercury controls by gathering comments from boilermaker workers, power companies and emission control companies, whereas the Research Service used a single study to reach its conclusions on mercury.

"Clear Skies delivers dramatic health benefits across the nation without raising energy costs and does it with certainty and simplicity, instead of regulation and litigation," Witcher said. "Because of our commitment to see this become a reality, EPA went above and beyond to provide the most comprehensive legislative analysis of air ever prepared by the agency, so it does a real disservice to this discussion to have a report that largely ignores and misinterprets our analysis."

But aides to Carper and Jeffords said they felt vindicated by the congressional study.

"The CRS report backs up a lot of what we initially said about EPA's latest analysis, that it overstated the costs of controlling mercury and understated the overall health benefits of Senator Carper's legislation," said Carper spokesman Bill Ghent. "The report clearly states that there's no reason to settle for the president's Clear Skies plan because the legislation doesn't clean the air much better than current law."

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